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Attorney for Defendant
DAVID HANSEN

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID KENNETH HANSEN,

Defendant.

Case No.: 2:20-cr-021 TLN

STIPULATION AND ORDER
CONTINUING STATUS CONFERENCE
AND EXCLUDING TIME UNDER THE
SPEEDY TRIAL ACT

Date: June 10, 2021
Time: 9:30 a.m.
Court: Hon. Troy L. Nunley

Plaintiff United States of America by and through Assistant United States Attorney James
Conolly, and Attorney Todd Leras on behalf of Defendant David Hansen, stipulate as follows:

1. This matter is presently set for a status conference on June 10, 2021. By this
stipulation, Defendant Hansen moves to continue the status conference to August 26,
2021.

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2. This case involves drug trafficking and firearm charges stemming from execution of search warrants in Sacramento and Placer Counties. Defendant appeared for arraignment on the charges contained in the Indictment on January 24, 2020. During the period following the arraignment a series of national events related to the spread of COVID-19 occurred.
3. Federal and state authorities issued increasingly restrictive directives to slow the spread of the virus during most of the time since the arraignment hearing. These restrictions hampered the ability to conduct defense investigation as to potential defenses in this matter. Widespread distribution of vaccines, however, now appear to be improving the situation. The defense is currently proceeding with its investigation. Defendant Hansen therefore requests to continue this matter to August 26, 2021.
4. Defendant Hansen is being held in pre-trial detention at the Sacramento County Main Jail. The Chief Judge for the Eastern District of California has issued a series of orders, including General Orders 612, 617, 618, 620, 624, 628, and 630 restricting public access to the federal courthouses within the district since March 18, 2020. General Order 631, issued on May 26, 2021, directs that reopening of federal courthouses with social distancing and mask restrictions will occur on June 14, 2021.
5. On March 19, 2020, California Governor Gavin Newsom issued Executive Order N-33-20 ordering all California residents to shelter in place unless their services are needed to perform work in critical infrastructure functions. These restrictions have varied depending on surges and easing of the rate of COVID-19 infections. Based on improvements in infection rates and vaccinations, California intends to end its mask

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1 mandate on June 15, 2021.

- 2 6. The government has provided defense counsel with initial discovery consisting of
3 written offense reports and audio recordings. Defense counsel is reviewing these
4 materials with Mr. Hansen via occasional in-person visits at the Sacramento County
5 Jail and conducting follow up defense investigation. The defense therefore requests
6 additional time to perform its discovery review and investigation.
- 7
- 8 7. Given the ongoing defense investigation, Defendant Hansen requests to continue the
9 status conference in this matter to August 26, 2021, at 9:30 a.m., and to exclude time
10 between June 10, 2021, and August 26, 2021, inclusive, under Local Code T-4. The
11 United States does not oppose this request.
- 12
- 13 8. Attorney Todd Leras represents and believes that failure to grant additional time as
14 requested would deny Defendant Hansen the reasonable time necessary for effective
15 preparation, considering the exercise of due diligence.
- 16
- 17 9. Based on the above-stated facts, Defendant Hansen requests that the Court find that
18 the ends of justice served by continuing the case as requested outweigh the best
19 interest of the public and the Defendant in a trial within the time prescribed by the
20 Speedy Trial Act.
- 21
- 22 10. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et*
23 *seq.*, within which trial must commence, the time period of June 10, 2021 to August
24 26, 2021, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), and
25 (B) (iv) [Local Code T-4] because it results from a continuance granted by the Court
26 at Defendant Hansen's request on the basis that the ends of justice served by taking
27

1 such action outweigh the best interest of the public and the Defendant in a speedy
2 trial.

3 11. Nothing in this stipulation and order shall preclude a finding that other provisions of
4 the Speedy Trial Act dictate that additional time periods are excludable from the
5 period within which a trial must commence.
6

7 Assistant U.S. Attorney James Conolly has reviewed this proposed order and authorized
8 Todd Leras via email to sign it on his behalf.
9

10 DATED: June 7, 2021

PHILLIP A. TALBERT
Acting United States Attorney

12 By /s/ Todd D. Leras for
JAMES CONOLLY
Assistant United States Attorney

14 DATED: June 7, 2021

15 By /s/ Todd D. Leras
TODD D. LERAS
Attorney for Defendant
DAVID HANSEN
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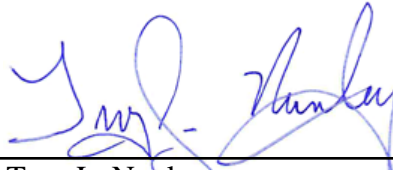
28 ORDER CONTINUING STATUS
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1 **ORDER**

2 BASED ON THE REPRESENTATIONS AND STIPULATION OF THE PARTIES, it is
3 hereby ordered that the status conference in this matter, scheduled for June 10, 2021, is vacated.
4
5 A new status conference is scheduled for August 26, 2021, at 9:30 a.m. The Court further finds,
6 based on the representations of the parties and Defendant Hansen's request, that the ends of
7 justice served by granting the continuance outweigh the best interests of the public and the
8 Defendant in a speedy trial. Time shall be excluded under the Speedy Trial Act, 18 U.S.C. §
9 3161(h)(7)(B)(iv) and Local Code T-4, to allow necessary attorney preparation taking into
10 consideration the exercise of due diligence for the period from June 10, 2021, up to and
11 including August 26, 2021.
12

13 IT IS SO ORDERED.

14 DATED: June 7, 2021

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17 Troy L. Nunley
18 United States District Judge
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